

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
SPARTANBURG DIVISION

Robert Craig Allen,)	
)	C.A. No. 7:17-1964-HMH-BM
Plaintiff,)	
)	
vs.)	OPINION & ORDER
)	
Founders Federal Credit Union,)	
)	
Defendant.)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Bristow Marchant, made in accordance with 28 U.S.C. § 636(b)(1) and Local Civil Rule 73.02 of the District of South Carolina.¹ Robert Craig Allen (“Allen”), proceeding pro se, alleges a violation of 42 U.S.C. § 1983 and/or Bivens v. Six Unknown Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). In his Report and Recommendation, Magistrate Judge Marchant recommends granting the Defendant’s motion to dismiss the Bivens and/or § 1983 claims and dismissing without prejudice Allen’s remaining state law claims. (Report & Recommendation 8, ECF No. 37.)

Allen filed objections to the Report and Recommendation. Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party’s right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir.

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

1984). In the absence of specific objections to the Report and Recommendation of the magistrate judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Allen's objections are non-specific, unrelated to the dispositive portions of the magistrate judge's Report and Recommendation, or merely restate his claims. Accordingly, after review, the court finds that Allen's objections are without merit. Therefore, after a thorough review of the magistrate judge's Report and the record in this case, the court adopts Magistrate Judge Marchant's Report and Recommendation and incorporates it herein by reference.

It is therefore

ORDERED that the Defendant's motion to dismiss, docket number 20, is granted to the extent Allen has asserted his claims under Bivens and/or § 1983, and that those claims are dismissed, with prejudice. It is further

ORDERED that Allen's remaining state law causes of action, to the extent that he has intended to assert any such claims, are dismissed, without prejudice, in order to allow Allen to pursue these claims in state court, if he so desires.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
February 9, 2018

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.